

**REMARKS/ARGUMENTS**

The Office Action mailed November 4, 2004, has been received and reviewed. Claims 1-76 are currently pending in the application. Claims 1-76 stand rejected.

Applicants kindly acknowledge and appreciate the telephonic interview involving Applicant's representatives, Ryan L. Marshall and Christopher Wight, and Examiner Cephia Toomer on May 4, 2005. Applicants have amended claims 23, 26-27, 30, 33-36, 44, and 75. Specifically, claims 33-40, 43-44 now include the alcohol component in a range of 60 to 65% by weight. Claims 23, 26-27, 30 have been amended to be independent claims. Claims 1-22, 24-25, 28-29, 31-32, 41-42, 47-74, and 76 have been canceled. Applicants expressly reserve the right to pursue the cancelled claims and any other claims in a continuing application.

Consistent with the agreement reached during the interview, all rejections under 35 U.S.C. § 112 and 35 U.S.C. § 103(a) should be withdrawn. In view of the above amendments to the claims, as described in more detail below, Applicants respectfully request reconsideration of the application as amended herein. If there remain any unresolved matters in connection with the present application, Applicants respectfully requests the Examiner to telephone the undersigned attorney to expedite the handling of this matter.

**35 U.S.C. § 112 Claim Rejections**

Claims 2-4, 8-10, 19-21, 34-36, 44, 48-50, 54-56 and 60 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended the claims to comply with 35 U.S.C. § 112, second paragraph.

Specifically, claims 34-35, and 44, were rejected because the language "selected from the group consisting essentially of" is improper Markush language. Claims 34-35, and 44 have been amended to delete the term "essentially." Claims 2-3, 8-10, 19, 48-49, 54-56, and 60 have been cancelled. In view of this amendment, claims 34-35, and 44 are now definite and comply with the statutory requirement of 35 U.S.C. § 112, second paragraph. Applicants therefore request that this rejection be withdrawn.

Claims 3, 35, and 49 were rejected because there was no comma between the terms methanol and ethanol. Claim 35 has been amended to include a comma between methanol and

ethanol. Claims 3 and 49 have been cancelled. In view of this amendment, claim 35 is now definite and complies with the statutory requirement of 35 U.S.C. § 112, second paragraph. Applicants therefore request that this rejection be withdrawn.

Claims 4, 36, and 50 were rejected because there was no antecedent support in the base claims for "R". Claim 36 has been amended to depend from claim 34 to provide antecedent support for "R". Claims 4 and 50 have been cancelled. In view of this amendment, claim 36 is now definite and complies with the statutory requirement of 35 U.S.C. § 112, second paragraph. Applicants therefore requests that this rejection be withdrawn.

Claims 20-21 were rejected because there is no antecedent support in claim 1 for 0.1% aliphatic ether. Claims 20-21 have been cancelled.

#### **35 U.S.C. § 102(b) Anticipation Rejections**

Claims 1-4, 6-14, 16, 17, 28, 47-50, 52-58, 69 and 76 stand rejected under 35 U.S.C. § 102(b) as being anticipated by CA 2,342,824. All of the aforementioned claims rejected under 35 U.S.C. § 102(b) have been cancelled; therefore, the rejection is moot.

#### **35 U.S.C. § 103(a) Obviousness Rejections**

Claims 5, 19-22, 24, 25, 29, 31-41, 43-44, 51, 59-63, 65, 66, 70 and 72-75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over CA 2,342,824. The Examiner has indicated in the Office Action at paragraph 8 that claim 42 is allowable if rewritten in independent form. Independent claim 33 has been amended to incorporate the limitation of claim 42. Claims 34-40 and 43-46 depend from newly amended claim 33. In view of this amendment and the agreement reached with the Examiner during the interview, claims 33-40 and 43-46 are not obvious and comply with the statutory requirement of 35 U.S.C. § 103(a). Applicants therefore request that this rejection be withdrawn.

Applicants have also amended independent claim 75 to incorporate the limitations of original claims 33 and 42. As previously discussed in relation to newly amended claim 33, the Examiner has indicated in the Office Action at paragraph 8 that a combustible fuel composition including limitations from claims 33 and 42 is not obvious. Claim 75 incorporates the limitations of original claims 33 and 42. In view of this amendment, claim 75 is not obvious and

complies with the statutory requirement of 35 U.S.C. § 103(a). Applicant therefore requests that this rejection be withdrawn.

Remaining claims 5, 18-22, 24, 25, 29, 31-32, 41, 42, 51, 59-63, 65, 66, 70 and 72-74 have been cancelled.

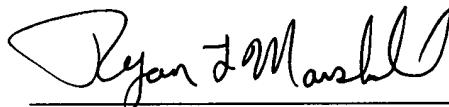
### ENTRY OF AMENDMENTS

The amendments to claims 23, 26-27, 30, 33-36, 44, and 75 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application.

### CONCLUSION

Claims 23, 26-27, 30, 33-40, 43-46, and 75 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, she is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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Ryan L. Marshall  
Reg. No. 47,770  
Holland & Hart LLP  
555 17th Street, Suite 3200  
Denver, Colorado 80201-8749  
Telephone: (801) 517-7865  
Fax: (801) 364-9124

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RLM/jml